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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,171	10/10/2003	Richard J. Ericson	OT-4416A	2595
26584	7590	11/23/2007	EXAMINER	
OTIS ELEVATOR COMPANY			LANGDON, EVAN H	
INTELLECTUAL PROPERTY DEPARTMENT			ART UNIT	PAPER NUMBER
10 FARM SPRINGS			3654	
FARMINGTON, CT 06032			MAIL DATE	DELIVERY MODE
			11/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/684,171	ERICSON ET AL.
	Examiner Evan H. Langdon	Art Unit 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 October 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 22,23 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 22,23 and 25-27 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

Claim 27 is objected to because of the following informalities: Claim 2 depends from canceled claim 24. For the purposes of examination, claim 24 will be treated as depending from claim 22. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22, 23 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Nichols (US 6,712,181).

Nichols discloses cable clamp system having a tension member (24) for suspending the loads and a termination device for the tension member, the termination member including: a first compressive system (44,46) to provide a first retaining mechanism; and a second compressive system (60) comprising a clamp engaging the tension member (24), the second compressive system prevents further slippage of the tension member by mechanical deformation of the tension member only when slippage of the tension member through the device first occurs (col. 3, 40-55). With regard to the preamble of claim 22, "An elevator system having a tension member for suspending the elevator loads", as broadly recited, Nichols discloses that his device can be used to hold fast when weighted (col. 1 ll. 10-14).

In regards to claim 23, Nichols discloses the tension member engagement with the first compressive system defines a load side (54) and a cut side (52) of the tension member, and wherein the clamp (60) is engaged with the cut side (52) of tension member.

In regards to claims 26, Nichols discloses the clamp (60) includes a first portion (first sleeve), a second portion (second sleeve) and a fastener (portion connecting the sleeve) engaged with both portions to provide a clamping force between the two portions to retain the tension member.

In regards to claim 27, Nichols discloses the clamp is located to be drawn toward the first compressive system in the case of slippage of the tension member relative to the first compressive system (col. 3, 40-55).

Claims 22, 23 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Mardis (US 2,189,671).

Mardis discloses cable clamp system having a tension member (9) for suspending the loads and a termination device for the tension member, the termination member including:  
a first compressive system (2,4,6) to provide a first retaining mechanism; and  
a second compressive system (18) comprising a clamp engaging the tension member (9),  
the second compressive system prevents further slippage of the tension member by mechanical deformation of the tension member only when slippage of the tension member through the device first occurs (p. 1 ll. 40-50). It is inherent that when slippage occurs, the u-bolts 18 will dig into the rope 9 and cause mechanical deformation. With regard to the preamble of claim 22,

"An elevator system having a tension member for suspending the elevator loads", as broadly recited, Mardis discloses that his device can be used to secure an end of the rope.

In regards to claim 23, Mardis discloses the tension member engagement with the first compressive system defines a load side (4) and a cut side (near 18) of the tension member, and wherein the clamp (18) is engaged with the cut side of tension member.

In regards to claim 25, Mardis discloses the clamp includes a first portion (18, Fig. 5) and a second portion (3, Fig. 5), the first portion including grooves and the second portion including ridges that complement the grooves such that upon application of the clamping force the interaction of the grooves and ridges retain the tension member.

In regards to claims 26, Mardis discloses the clamp includes a first portion (18, Fig. 5), a second portion ((3, Fig. 5) and a fastener (15) engaged with both portions to provide a clamping force between the two portions to retain the tension member.

In regards to claim 27, Mardis discloses the clamp is located to be drawn toward the first compressive system in the case of slippage of the tension member relative to the first compressive system.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 22, 23 and 25-27 have been considered but are moot in view of the new ground(s) of rejection. The limitation, the second compressive system prevents further slippage of the tension member by mechanical deformation of the tension member only when slippage of the tension member through the device first occurs, necessitated the new grounds of rejection.

***Conclusion***

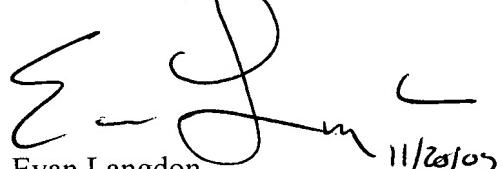
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Evan Langdon  
Patent Examiner  
AU 3654

11/20/07